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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

WESTERN SAHARA

Working paper prepared by the Secretariat

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I. GENERAL

1. A detailed account of general conditions and developments related to Western Sahara was provided in a previous working paper on the Territory (A/AC.109/1082).

II. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FORTY-SIXTH SESSION

2. At the forty-sixth session of the General Assembly, reference was made to the question of Western Sahara by a number of representatives during their statements in plenary meetings (see A/46/PV.48, 49 and 68). An account of the Fourth Committee's consideration of the item at the same session is given in the related report of the Committee to the Assembly (A/46/629).

3. On 11 December 1991, on the recommendation of the Fourth Committee, the General Assembly adopted without a vote resolution 46/67 on the question of Western Sahara. The resolution reads as follows:

"The General Assembly,

"Having considered in depth the question of Western Sahara,

"Recalling the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

"Recalling also its resolution 45/21 of 20 November 1990,

"Recalling further that, on 30 August 1988, the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro agreed in principle to the proposals of the Secretary-General of the United Nations and the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity in the context of their joint mission of good offices,

"Recalling Security Council resolution 621 (1988) of 20 September 1988 concerning the question of Western Sahara,

"Recalling also Security Council resolution 658 (1990) of 27 June 1990, approving the report of the Secretary-General of 18 June 1990, 1/ which contains the full text of the settlement proposals

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"1/ S/21360; see Official Records of the Security Council, Forty-fifth Year, Supplement for April, May and June 1990, document S/21360.

as accepted by the two parties as well as an outline of the plan of the Secretary-General for the implementation of those proposals,

"Noting with satisfaction the paragraph on Western Sahara in the report of the Tenth Ministerial Conference of the Non-Aligned Countries, held at Accra from 2 to 7 September 1991, 2/

"Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 3/

"Having also examined the report of the Secretary-General, 4/

"1. Takes note with appreciation of the report of the Secretary-General;

"2. Welcomes the unanimous adoption by the Security Council on 29 April 1991 of resolution 690 (1991) by which the Council approved the report submitted by the Secretary-General on 19 April 1991 5/ and decided to establish, under its authority, a United Nations Mission for the Referendum in Western Sahara;

"3. Also welcomes the entry into force of the cease-fire in Western Sahara on 6 September 1991, in accordance with the proposal of the Secretary-General accepted by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro;

"4. Endorses the call by the Security Council upon the two parties to continue to cooperate fully with the Secretary-General in the implementation of his plan as described in his report of 18 June 1990 1/ and amplified in his report of 19 April 1991;

"5 Pays tribute to the Secretary-General for his action with a view to settling the question of Western Sahara by the implementation of his peace plan;

"2/ A/46/726, annex, para. 64.

"3/ A/46/23 (Part V), chap. VIII.

"4/ A/46/589.

"5/ S/22464 and Corr.1; see Official Records of the Security Council, Forty-sixth Year, Supplement for April, May and June 1991, document S/22464.

"6. Expresses its full support for the efforts of the Secretary-General for the organization and supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara, in accordance with the objectives mentioned in his report of 19 April 1991;

"7. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the ongoing referendum process, and to report thereon to the General Assembly at its forty-seventh session;

"8. Invites the Secretary-General to submit to the General Assembly at its forty-seventh session a report on the implementation of the present resolution."

III. GOOD OFFICES OF THE SECRETARY-GENERAL

4. An account of a series of contacts and consultations undertaken in 1991 by the Secretary-General of the United Nations in the exercise of his good offices, within the context of General Assembly resolution 45/21 of 20 November 1990, is given in his report of 23 October 1991 to the Assembly at its forty-sixth session (A/46/589). Since the circulation of that report, the Secretary-General, in close cooperation with the current Chairman of the Organization of African Unity (OAU), has continued to exercise his good offices with the parties concerned.

5. In pursuance of Security Council resolution 690 (1991) of 29 April 1991, in which the Council requested the Secretary-General to keep it informed regularly of the implementation of his settlement plan for Western Sahara, the Secretary-General submitted a report to the Council on 19 December 1991. 1/ In his report, the Secretary-General, recalled the main elements of the United Nations plan as described in his report of 18 June 1990, 2/ and gave an account of developments that took place concerning the plan and the Territory. The Secretary-General indicated that owing to slow progress in the accomplishment of certain tasks, the timetable accepted by the Security Council in his report of 19 April 1991 3/ had to be adjusted. This was largely due to the complexity of the identification process, whose purpose was to establish the list of those who would vote in the referendum. The parties had tended to interpret differently the relevant paragraphs of the plan in this regard. The Secretary-General also reported that the general regulations governing the organization of the referendum had been promulgated and had been made available to the President of the Security Council on 11 November 1991. The mandate of the Identification Commission and instructions relating to its tasks had also been finalized. The United Nations was well aware that such a complex task as the identification of the Saharans could not be accomplished hastily and that the process of identification could be carried out only with the complete cooperation of the parties, in a spirit of justice and objectivity. Without such cooperation and without equity and justice on the

part of all concerned, particularly the tribal chiefs, the notables and the members of the ahels, the guidelines could not, by themselves alone, enable the United Nations to fulfil in a satisfactory manner the task entrusted to it.

6. At its 3025th meeting, on 31 December 1991, the Security Council unanimously adopted resolution 725 (1991), in which, inter alia, it approved the efforts of the Secretary-General for the organization and the supervision, by the United Nations in cooperation with OAU, of a referendum for self-determination of the people of Western Sahara and therefore welcomed the report of the Secretary-General; 1/ reiterated its support for further efforts by the Secretary-General for the organization and the supervision, by the United Nations in cooperation with OAU, of a referendum for self-determination of the people of Western Sahara in conformity with resolutions 658 (1990) and 690 (1991) by which the Council had adopted the settlement plan for Western Sahara; called upon the two parties to cooperate fully with the Secretary-General in the implementation of his settlement plan, which had been accepted by them; and invited the Secretary-General to submit a further report to the Security Council as soon as possible but in any event within two months of the date of passage of the resolution.

7. It was announced at a press briefing at United Nations Headquarters on 14 February 1992 that the Secretary-General had met with Mr. Mohamed Abdel Aziz, Secretary-General of the Frente Popular para la Liberatión de Saguia el-Hamra y de Rió de Oro (Frente POLISARIO) and other representatives of Frente POLISARIO in New York. The Secretary-General and Mr. Abdel Aziz had reportedly held constructive talks on the question of Western Sahara and had agreed on the importance of giving new momentum to the United Nations operations in Western Sahara.

8. On 28 February 1992, the Secretary-General submitted a further report to the Security Council 4/ on the situation as requested by the Council in its resolution 725 (1991). The report covered the military aspects of the United Nations Mission for the Referendum in Western Sahara (MINURSO), as well as all other aspects of the operation, including developments which had taken place since the last report to the Council on 19 December 1991. 1/ In the conclusions and recommendations of the report, the Secretary-General noted that the referendum in Western Sahara should have taken place in January 1992. However, it had not been possible to proceed in conformity with the original timetable, in view of continuing problems and persistent differences of interpretation with regard to the implementation of the Plan. He was not therefore in a position at that time to propose a revised timetable for implementation. He did believe that a target date should be set for the resolution of all outstanding issues that blocked the implementation of the Plan. In his view, three months would have been a reasonable period to set for this task. He would accordingly propose to report further to the Security Council not later than the end of May 1992. If by that date it had not been possible to reach agreement on implementation of the existing plan, it would be necessary to consider alternative courses of action and possibly adopt a new approach to the whole problem. Meanwhile, the Secretary-General recommended that the current level of MINURSO activity be maintained for the

above-mentioned period and that the mandate of the military elements of MINURSO continue to be restricted to verifying the cease-fire and cessation of hostilities in the areas defined in September 1991. 5/ He was convinced that the continued presence of MINURSO in those areas helped to maintain the cease-fire and thus created conditions for the remaining obstacles to be removed.

9. In a letter dated 23 March 1992 addressed to the President of the Security Council, the Secretary-General informed him that after extensive consultations with the parties concerned, he had decided to appoint Mr. Sahabzada Yaqub-Khan, former Minister for Foreign Affairs of Pakistan, as his Special Representative for Western Sahara to replace Mr. Johannes J. Manz, who resigned in December 1991. 6/

10. In a letter dated 25 March 1992 addressed to the Secretary-General by the President of the Security Council, the President informed the Secretary-General that the members of the Council welcomed that appointment. 7/ The members of the Council had also taken note of his report of 28 February 1992 on MINURSO 4/ and reiterated their support for his efforts and the efforts to be made by the Special Representative to accelerate the implementation of the settlement plan for a referendum for self-determination of the people of Western Sahara. Taking into consideration the urgency of the situation, they looked forward to a further report from him on the progress made in the implementation of the above-mentioned plan.

11. On 29 May 1992, the Secretary-General submitted to the Security Council a further report on the situation in Western Sahara. 8/ The report addressed the current status of the implementation of the plan in its military and other aspects. With regard to military aspects, the Secretary-General informed the Security Council that in its existing limited deployment, the role of the MINURSO military unit was essentially limited to monitoring and verifying the cease-fire into which the parties had entered. On other aspects, the Secretary-General stated that the Special Representative, shortly after his appointment, had made a tour of the mission area and the neighbouring countries from 19 to 30 April 1992. During the tour, the Special Representative had met not only with the King of Morocco and the Secretary-General of the Frente POLISARIO, but also with the Heads of State of Algeria and Mauritania. On the basis of his initial contacts with the parties, the Special Representative had concluded that their respective positions remained far apart and that those differences had continued to present serious obstacles to the implementation of the settlement plan. At the same time, he was encouraged to find that both parties continued to be committed to the plan as a framework for a just and permanent solution to the Western Sahara conflict. Additionally, both Algeria and Mauritania promised him their full support and cooperation in order to overcome existing obstacles and to facilitate the execution of the plan. In the light of his findings, at the conclusion of the tour, the Special Representative explored with each of the parties their readiness to hold talks with him in an effort to reactivate the plan. Both parties had agreed to do so. The talks were under way at that time and were being held within the framework of the settlement plan.

12. The Secretary-General also stated that it was his expectation that in their talks with the Special Representative both parties would cooperate with him in efforts to promote trust and confidence and to create an atmosphere conducive to the smooth implementation of the plan. Regardless of the progress of the current talks, he remained convinced of the need for maintaining the current military strength of MINURSO in Western Sahara in order to monitor adequately the cease-fire. During the Special Representative's visit to the area, he was assured by both parties that they would make every effort to adhere to the provisions of the cease-fire agreement and to cooperate with MINURSO within the framework of the settlement plan. Thus, the Secretary-General expected compliance with the cease-fire to improve significantly over the coming months.

13. In the light of the foregoing and bearing in mind the critical role MINURSO observers were playing for the maintenance of peace and tranquillity pending the settlement of the conflict, the Secretary-General recommended that the Council extend the mandate of MINURSO for a further period of three months, until the end of August 1992. He hoped that by then substantial progress would have been made to prepare the ground for the holding of a referendum leading to the peaceful settlement of the conflict. However, if by that time the peace process remained deadlocked notwithstanding the efforts of the Special Representative, the Security Council might wish to consider a different approach.

14. It was announced at a daily press briefing at United Nations Headquarters on 11 June 1992 that the Special Representative of the Secretary-General for Western Sahara had met at Geneva with a delegation from Frente POLISARIO, who replied to some questions that the Special Representative put to it for clarification. The Special Representative described the discussions as "friendly and constructive". The meeting was part of the efforts to reactivate the plan.

15. In a statement before the Assembly of Heads of State and Government of OAU at its twenty-eighth ordinary session, on 29 June 1991, the Secretary-General of the United Nations said that the divergent views and different interpretations of some of the main elements contained in the settlement plan for self-determination of the people of Western Sahara had prevented the United Nations from making progress on a number of key issues, particularly that of the criteria for eligibility to vote in the referendum. Early in June, the members of the Security Council had welcomed the fact that the two parties had agreed to engage in discussions with the Special Representative with a view to reactivating the settlement plan. Such discussions had taken place recently and had proved useful. It was also considered important to maintain the United Nations force currently deployed in Western Sahara in order to monitor the cease-fire. 9/

16. In the introduction to his report to the same session of the Assembly of Heads of State and Government, the Secretary-General of the Organization of African Unity stated the following on the question of Western Sahara:

"It is a matter for regret that the Peace Plan, agreed upon by both Morocco and the POLISARIO Front and further endorsed by the United Nations Security Council in resolutions 658 (1990) and 690 (1991) and the international community at large, is still encountering obstacles with respect to its implementation. During my recent trip to New York, I had the occasion to raise this issue with the United Nations Secretary-General Dr. Boutros Boutros-Ghali, to whom I conveyed our concern as well as our desire for a speedy implementation of the Peace Plan and OAU's readiness to make the contribution expected of it under the Peace Plan. We were encouraged by the recent designation of the United Nations Special Representative for Western Sahara and the steps taken to reactivate the process of implementation of the Peace Plan. With these recent developments, it is our fervent hope that, with the cooperation of the parties to the conflict, the peace process will be expedited so that a just and lasting solution could be found through the organization of a free and fair referendum for the people of Western Sahara." 10/

17. In a statement issued at the United Nations on 10 July 1992, it was announced that each party to the Western Sahara conflict had agreed to hold talks with the Special Representative of the Secretary-General, Mr. Sahabzada Yaqub-Khan, in an effort to reactivate the settlement plan which had been deadlocked for several months. The first round of the talks, which involved consultations with the parties in Geneva, Rabat, Tindouf and New York, had concluded on 2 July. The Secretary-General had been briefed on the results of that first round of talks and had agreed that the talks would continue over the coming weeks along lines to which both parties had already consented, in the hope that it would be possible to achieve concrete progress towards eliminating the obstacles standing in the way of holding a referendum under United Nations auspices to determine the future status of Western Sahara. The Secretary-General expected both parties to continue to cooperate fully with the Special Representative in his efforts to reactivate the process leading to the referendum in the Territory and that, in that spirit, to refrain from any action which might adversely affect the progress of those efforts. 11/

IV. POLITICAL AND OTHER DEVELOPMENTS

(Covering the period from August 1991 to July 1992)

18. The Tenth Ministerial Meeting of the Movement of Non-Aligned Countries, held at Accra from 2 to 7 September 1991, welcomed the decision by the Security Council to set up MINURSO and the agreement by the two parties to observe a cease-fire with effect from 6 September 1991. The parties were urged to refrain from any action which would jeopardize the implementation of the United Nations settlement plan.

19. In his statement at the forty-sixth session of the General Assembly on 3 October 1991 (A/46/PV.20), Mr. Abdellatif Filali, Minister for Foreign Affairs and Cooperation of Morocco, said that Morocco attached extreme

importance to the so-called question of Western Sahara, since it represented an issue linked to the very destiny of Morocco and had considerable repercussions for the future of the subregion. There was an organic link between Western Sahara and the other parts of Morocco. Those ties had been consolidated for centuries. Likewise, the short period of time in which Morocco had to live divided under a very peculiar colonial rule had witnessed heroic resistance by the Moroccan people all over its territory in order to defend and preserve its unity by all means. While colonialism had divided Morocco into different zones - the international zone of Tangier, the French protectorate in the middle part of the country and the Spanish zone in the northern and southern provinces - the liberation of those zones had taken place gradually, one part after the other. The southern zone had been liberated starting with the province of Tarfaya in 1958, followed by Sidi Ifni in 1969, until Morocco had recovered in 1975 what was called the "Western Sahara", the last part of the southern zone which had been under the rule of the same Spanish authority. This recovery of Sahara had taken place on the basis of an international agreement signed at Madrid on 14 November 1975, of which the General Assembly had taken note. One wondered why the question of Western Sahara remained on the agenda after the recovery by Morocco of its Saharan provinces.

20. The good offices that the Secretary-General had undertaken since April 1986 had resulted in the elaboration of a framework plan approved by the Security Council in April 1991 in its resolution 690 (1991). Morocco totally supported that framework plan. The implementation of all the elements of that plan would undoubtedly require respect for all the time frames set in the successive stages provided for in the plan. Likewise, the translation of its provisions into practical measures would require negotiations that could ensure full implementation of both the letter and spirit of the plan.

21. Speaking as a petitioner at the 8th meeting of the Fourth Committee on 18 October 1991 (A/C.4/SR.8), a representative of Frente POLISARIO stated that, owing to the constant efforts of the United Nations and OAU, and to the significant concessions made by the Sahrawi side, it had finally been possible to adopt a peace plan for the decolonization of Western Sahara. The international community, which had formulated the peace plan and provided broad material and financial support, could legitimately ask what stage had been reached in its implementation. The most important step that had been taken had been the entry into force of the cease-fire on 6 September, which was the result of the persistence of the Secretary-General and the unanimity of the members of the Security Council. The Frente POLISARIO and the Government of the Saharan Arab Democratic Republic, however, were deeply concerned about recent events in Western Sahara. Morocco had officially declared its recognition of the peace plan but was systematically violating the obligations it had assumed. First, the Government of Morocco was trying to make it possible for tens of thousands of Moroccan citizens to take part in the voting under the referendum, instead of the electors envisaged in the plan, so as to undermine the process of the referendum in Western Sahara; secondly, since the entry into force of the cease-fire, the Moroccan side had already violated it nine times. Moroccan military aircraft, in violation of

the cease-fire provisions, were making flights over Sahrawi positions in the liberated territory; thirdly, although it was envisaged in the peace plan that the referendum should be held under conditions guaranteeing freedom and security, so that the people of Sahara could freely determine their fate, the Moroccan authorities in the regions they occupied were virtually maintaining a state of siege and had not yet released dozens of peaceful inhabitants of Sahara from detention; and fourthly, Morocco was trying to have the referendum held in an atmosphere of terror, without independent observers and representatives of the international press. All those facts could be verified, and many of them were already known to the international community. In the view of the Sahrawi side, the implementation of the peace plan was being jeopardized by the position of Morocco, in defiance of world public opinion as clearly expressed by the General Assembly and the Security Council. The Sahrawi side would continue to cooperate with the United Nations to ensure the successful fulfilment by MINURSO of the noble peace objective established for it by the international community.

22. At its 14th meeting, on 29 October 1991, the Fourth Committee adopted, without a vote, draft resolution A/C.4/46/L.2/Rev.2, as orally revised, on the question of Western Sahara. On 11 December 1991, on the recommendation of the Fourth Committee, the General Assembly adopted the draft resolution without a vote as resolution 46/67 (see para. 3).

23. In an aide-mémoire issued by the Permanent Mission of Morocco to the United Nations on 16 December 1991, Morocco stated that its adversaries were circulating a number of erroneous ideas on its position and conduct with regard to the question of Sahara. The aide-mémoire also provided clarification concerning the alleged military offensives and violations of the cease-fire. With regard to the alleged obstruction of the work of the Identification Commission, it recalled that Morocco had extended its utmost cooperation to the Identification Commission both for its establishment and field visit and for its activities. Those referring to massive deployments of Moroccan subjects tended to forget that, until the referendum had taken place and its results made public, the Sahara remained under the full and complete authority of Morocco and the territory had been governed by Moroccan law. Furthermore, the Moroccan Government was certainly not seeking to change any element in the settlement plan contained in reports of the Secretary-General of 18 June 1990 and 19 April 1991. 2/, 3/ In keeping with the information contained in those reports, Morocco could not allow the 1994 census document to result in the exclusion of bona fide Western Saharans who had taken refuge in the North and who had not been able or had not wanted to be registered, or who had been omitted by the Spanish authority. It would also be extremely unfair to demand at all costs that the census alone should serve as the basis for a global referendum for the sole purpose of favouring a partial group or faction. The memorandum also stated that Morocco was maintaining close contact with the United Nations in order to ensure the effective implementation of the settlement plan in the Sahara.

24. In a letter dated 23 December 1991 addressed to the President of the Security Council by the Permanent Representative of Ghana in his capacity as

Chairman of the Group of African States, 12/ the Chairman transmitted a copy of a statement of the General Secretariat of OAU on the report of the Secretary-General of the United Nations of 19 December 1991 on Western Sahara. 1/ The General Secretariat of OAU took note of the report and observed that new elements with respect to the criteria for identification were being proposed by the Secretary-General of the United Nations in the report. OAU reaffirmed its commitment to the observance of the peace plan as accepted by the two parties in conflict as well as its support for the implementation of the plan in its entirety with the full cooperation of the two parties. Any change or modification to the elements of the peace plan already accepted by the parties in conflict would be prejudicial to the process as well as to the organization of a free and fair referendum for self-determination by the people of Western Sahara. In this regard, OAU wished to appeal to members of the Security Council to ensure that the integrity of the peace plan as accepted by the parties in conflict and endorsed by the international community was safeguarded and its terms unaltered.

25. In a letter dated 24 December 1991, addressed to the President of the Security Council the Permanent Representative of Morocco to the United Nations, referred to the foregoing statement of the General Secretariat of OAU, and questioned the right of the Chairman of the Group of African States to circulate the OAU statement since he had not been authorized by the Group to do so on its behalf. That Group had not convened either to discuss the contents of the statement or to determine the appropriateness of such action on its behalf. Furthermore, the OAU statement itself claimed to convey the position of its "General Secretariat", which as such could not legally express the views of the member States; the statement reflected even less the point of view of the current Chairman of OAU concerning the question of Western Sahara. 13/

26. In a communication dated 26 December 1991 addressed to the President of the Security Council, the Permanent Representative of Algeria to the United Nations enclosed a document taking note of the report issued by the Secretary-General of the United Nations on 19 December 1991 1/ concerning the question of Western Sahara and stating Algeria's position on that document. The statement observed, inter alia, that by accepting the peace proposals of 1988 and Security Council resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 27 April 1991, the two parties had explicitly taken cognizance of and accepted that the 1974 census would be the reference point and base for identifying the Saharans who should participate in the referendum for self-determination. To introduce new elements without the prior consent of the two parties would be incompatible with the spirit and the letter of the various resolutions of the Security Council and could jeopardize the considerable efforts that had been made by the international community over a number of years to bring peace to the region. 14/

27. Speaking on the question of Western Sahara at the opening session of the Special Committee on 5 February 1992, the Secretary-General stated that the question was a matter of particular concern to the international community. Under the guidance of the Security Council, which remained seized of the

question, he would actively pursue the efforts of the United Nations, in cooperation with OAU, to find a peaceful, just and lasting solution. He had recently had positive contacts with the two protagonists in the conflict, which had been most productive (A/AC.109/PV.1398).

28. In the introduction to his report to the OAU Council of Ministers at its fifty-fifth ordinary session, held at Addis Ababa in February 1992, the Secretary-General of OAU stated the following:

> "In Western Sahara, the hopes raised following the adoption of resolutions 658 (1990) and 690 (1991) by the United Nations Security Council and the initial steps taken by the United Nations in implementation of these resolutions, did not materialize due to some difficulties. I had the occasion to brief the Council, last February, on my previous discussions with the former United Nations Secretary-General in connection with the role the OAU was to play in the implementation of the Peace Plan on Western Sahara. I again raised this issue with him, last October, and I stressed the importance of OAU's contribution in the implementation process in Western Sahara and the need for constant and close consultations between our two organizations on this issue. I stated clearly that it is important for us to know the exact role that the OAU was expected to play in the process so that I could report accordingly to the legislative organs of the organization and also to allow us to take the necessary measures.
>
> "Recently, I went to New York to meet the United Nations Secretary-General, H.E. Dr. Boutros Boutros-Ghali. I seized this early opportunity to discuss with him some important issues of concern to the organizations, including the pending issue of Western Sahara. I reiterated our concern about the need for a speedy solution to the issue through the holding of a free and fair referendum according to the provisions of the Peace Plan agreed upon by the parties to the conflict and endorsed by the Security Council and the international community as a whole. I also underscored our interest in a speedy settlement of the conflict so that peace and security could prevail in that region of the continent. I assured him that the OAU was naturally disposed to make its concrete contribution to the implementation of the Peace Plan, it being understood that it would be properly consulted and involved in all the stages of the process. Finally, I reiterated our readiness to work closely and to cooperate with the United Nations in order to fulfil what is our joint responsibility in conformity with the Peace Plan." 15/

29. On 28 February 1992, the Commission on Human Rights meeting at Geneva, adopted, without a vote, a resolution on Western Sahara. 16/

30. On 21 June 1992, it was reported that the Frente POLISARIO had warned the authorities at Rabat against going ahead with planned elections in the Territory and said that the presence of a United Nations contingent in Western Sahara was a sign of both the Territory's "special status, distinguishing it from Morocco, and of the will of the international community to see it decolonized once and for all". 17/

31. On 23 June 1992, it was reported that the Minister of Internal Affairs of Morocco, Mr. Driss Basri had opened a voter-registration campaign in preparation for elections in Western Sahara. Laayoune, the main town of Western Sahara, was reportedly chosen for launching the campaign because, according to Mr. Basri, the town was "the destination of the Green March on 6 November 1975 ... Today it is a march for sincere and true democracy". 18/

Notes

1/ S/23299.

2/ S/21360.

3/ S/22464 and Corr.1 (English and Spanish only).

4/ S/23662.

5/ S/23008 and S/23009.

6/ S/23754.

7/ S/23755.

8/ S/24040.

9/ See United Nations press release SG/SM/4774, 29 June 1992.

10/ Organization of African Unity document CM/1706 (LVI), part I, para. 11.

11/ See United Nations press release SG/SM/4781, 10 July 1992.

12/ S/23315.

13/ S/23321.

14/ S/23323.

15/ Organization of African Unity document CM/1681 (LV), part I, sect. IV.A.

16/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2, (E/1992/22-E/CN.4/1992/84).

17/ Agence France-Presse dispatch, Algiers, 21 June 1992.

18/ Reuters dispatch, Laayoune, 23 June 1992.

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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF EAST TIMOR

Letter dated 22 July 1992 from the Chargé d'affaires of the Permanent Mission of Indonesia to the United Nations addressed to the Chairman of the Special Committee

With reference to aide-mémoire 10/92 of 21 July 1992 of the Special Committee respectively concerning requests from persons as well as organizations to appear before the Special Committee as petitioners to speak about the so-called question of East Timor, I wish to convey the position of my delegation, which is as follows:

The process of decolonization in East Timor has been carried out in conformity with the provisions of the Charter of the United Nations and of General Assembly resolutions 1514 (XV) and 1541 (XV), thus terminating the colonial status of the former Territory. Consequently, the integration of East Timor into the Republic of Indonesia was formalized on 17 July 1976 as its twenty-seventh province with rights and obligations equal to those of the other provinces.

Based on the foregoing, my delegation reiterates its firm view that any consideration of this so-called question is inappropriate and would constitute unacceptable interference in matters which are essentially within the domestic jurisdiction of a sovereign Member State. Moreover, granting of a hearing to any petitioner would serve no useful purpose whatsoever.

My delegation, therefore, expresses its strong opposition to the participation of petitioners in the deliberations of the Committee.

I would appreciate it if this letter could be circulated as an official document of the Special Committee.

(Signed) Nugroho WISNUMURTI
Ambassador
Chargé d'affaires

UNITED NATIONS

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29 July 1992

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF PITCAIRN

Decision adopted by the Special Committee at its 1407th meeting, on 28 July 1992

The Special Committee, having examined the situation in Pitcairn, reaffirms the inalienable right of the people of Pitcairn to self-determination in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, which fully applies to the Territory. The Committee further reaffirms the responsibility of the administering Power to promote the economic and social development of the Territory. The Committee urges the administering Power to continue to respect the very individual lifestyle that the people of the Territory have chosen and to preserve, promote and protect it. The Committee decides to continue to examine the question of Pitcairn at its next session and to report thereon to the General Assembly at its forty-eighth session.

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UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1128
29 July 1992

SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

QUESTION OF ST. HELENA

Decision adopted by the Special Committee at its
1407th meeting, on 28 July 1992

1. The Special Committee, having examined the question of St. Helena, reaffirms the inalienable right of the people of St. Helena to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960. The Committee urges the administering Power, in consultation with the Legislative Council and other representatives of the people of St. Helena, to continue to take all necessary steps to ensure the speedy implementation of the Declaration in respect of the Territory and, in that connection, reaffirms the importance of promoting an awareness among the people of St. Helena of the possibilities open to them in the exercise of their right to self-determination.

2. The Committee reaffirms the responsibility of the administering Power to promote the economic and social development of the Territory and calls upon the administering Power to continue, in cooperation with the territorial Government, to strengthen the economy, to encourage local initiative and enterprise and to increase its assistance to diversification programmes with the aim of improving the general welfare of the community, including the employment situation in the Territory.

3. The Committee urges the administering Power, in cooperation with the territorial Government, to continue to take effective measures to safeguard and guarantee the inalienable right of the people of St. Helena to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources.

4. The Committee reaffirms that continued development assistance from the administering Power, together with any assistance that the international community might be able to provide, constitutes an important means of developing the economic potential of the Territory and of enhancing the capacity of its people to realize fully the goals set forth in the relevant provisions of the Charter of the United Nations. The Committee, in that connection, welcomes the assistance rendered by the United Nations Development Programme and invites other organizations of the United Nations system to assist in the development of the Territory.

5. The continued presence of military facilities in the Territory prompts the Committee, on the basis of previous United Nations resolutions and decisions concerning military bases and installations in colonial and Non-Self-Governing Territories, to urge the administering Power to take measures to avoid the involvement of the Territory in offensive acts or interference against neighbouring States.

6. The Committee considers that the possibility of dispatching a United Nations visiting mission to St. Helena at an appropriate time should be kept under review, and decides to continue to examine the question of St. Helena at its next session and to report thereon to the General Assembly at its forty-eighth session.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1129
30 July 1992

SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

QUESTIONS OF AMERICAN SAMOA, ANGUILLA, BERMUDA, BRITISH VIRGIN ISLANDS, CAYMAN ISLANDS, GUAM, MONTSERRAT, TOKELAU, TURKS AND CAICOS ISLANDS AND UNITED STATES VIRGIN ISLANDS

Consolidated resolution adopted by the Special Committee at its 1407th meeting, on 28 July 1992

A

GENERAL

The Special Committee,

Having considered the questions of American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands and United States Virgin Islands,

Having examined the report of the Subcommittee on Small Territories, Petitions, Information and Assistance, 1/

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to those Territories, including, in particular, those resolutions adopted by the Assembly at its forty-sixth session on the individual territories covered by the present resolution,

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1/ A/AC.109/L.1779.

Recalling also General Assembly resolution 1541 (XV) of 15 December 1960, containing the principles which should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 e of the Charter of the United Nations,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of those Territories, in view of the target set by the United Nations to eradicate colonialism by the year 2000,

Aware of the special circumstances of the geographical location and economic conditions of each Territory, and bearing in mind the necessity of promoting economic stability and diversifying and strengthening further the economies of the respective Territories as a matter of priority,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Mindful that United Nations visiting missions provide a means of ascertaining the situation in the small Territories, and considering that the possibility of sending further visiting missions to those Territories at an appropriate time and in consultation with the administering Powers should be kept under review,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank,

Bearing in mind the fragile economy of the small Territories and their vulnerability to natural disasters and environmental degradation, and recalling General Assembly resolutions and the recommendations of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, held in New York from 25 to 29 June 1990, 2/

Taking note of the conclusions and recommendations of the United Nations regional seminars held in 1990 in observance of the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as the position taken by the territorial Governments contained in the reports of the seminars, 3/

1. Approves the report of the Subcommittee on Small Territories, Petitions, Information and Assistance relating to American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands; 1/

2/ A/CONF.147/5-TD/B/AC.46/4.

3/ A/AC.109/1040 and Corr.1 and A/AC.109/1043.

2. Reaffirms the inalienable right of the people of those Territories to self-determination and independence in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. Also reaffirms that it is ultimately for the people of those Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly and, in that connection, calls upon the administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of the possibilities open to them in the exercise of their right to self-determination, in conformity with the legitimate political status options clearly defined in General Assembly resolution 1541 (XV);

4. Reiterates that it is the responsibility of the administering Powers to create such conditions in the Territories as will enable their people to exercise freely and without interference their inalienable right to self-determination and independence;

5. Reiterates the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way serve as a pretext to delay the speedy exercise by the peoples of those Territories of their inalienable right to self-determination;

6. Reaffirms the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of those Territories, and recommends that priority should continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. Urges the administering Powers, in cooperation with the territorial Governments concerned, to take or continue to take effective measures to safeguard and guarantee the inalienable right of the peoples of those Territories to own, develop or dispose of the natural resources of those Territories, including marine resources, and to establish and maintain control over the future development of those resources;

8. Also urges the administering Powers to take all necessary measures to protect and conserve the environment of the Territories under their administration against any environmental degradation, and requests the specialized agencies concerned to continue to monitor environmental conditions in those Territories;

9. Calls upon the administering Powers to continue to take all necessary measures, in cooperation with the respective territorial Governments, to counter problems related to drug trafficking;

10. Urges the administering Powers to foster or continue to foster close relations between the Territories and other island communities in their respective regions, and to promote cooperation between the respective territorial Governments and regional institutions, as well as the specialized agencies and other organizations of the United Nations system;

11. Also urges the administering Powers to cooperate or continue to cooperate with the Special Committee in its work by providing timely and up-to-date information for each Territory under their administration, in accordance with Article 73 e of the Charter, and by facilitating the dispatch of visiting missions to the Territories to secure first-hand information thereon and to ascertain the wishes and aspirations of the inhabitants;

12. Appeals to the administering Powers to continue or to resume their participation in future meetings and activities of the Special Committee and to ensure the participation in the work of the Special Committee of representatives of the Non-Self-Governing Territories;

13. Urges Member States to contribute to the efforts of the United Nations to achieve the eradication of colonialism by the year 2000, and calls upon them to continue to give their full support to the action of the Special Committee towards the attainment of that objective;

14. Invites the specialized agencies and other organizations of the United Nations system to initiate or to continue to take all necessary measures to accelerate progress in the social and economic life of the Territories;

15. Requests the specialized agencies and other organizations of the United Nations system, in formulating their assistance programmes, to take due account of the text entitled "Challenges and opportunities: a strategic framework", which was adopted unanimously by the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations; 2/

16. Decides to continue the examination of the question of the small Territories and to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination and independence, and to report thereon to the Assembly at its forty-eighth session.

B

INDIVIDUAL TERRITORIES

1. American Samoa

The Special Committee,

Referring to resolution A above,

Taking note of the establishment of a new Political Status and Constitutional Review Commission by the Fono, the legislature of the Territory,

Noting the need for diversifying and developing the economy of the Territory through the expansion of the existing small and service-oriented industries as well as through the development of commercial fishing and the tourism industry,

Noting also the devastation caused by hurricane Val in December 1991 and the recovery efforts of the territorial Government in conjunction with the administering Power and the international community,

Recalling the dispatch in 1981 of a United Nations visiting mission to the Territory,

1. Welcomes the establishment of a new Political Status and Constitutional Review Commission in September 1991 by the Fono;

2. Calls upon the administering Power, in cooperation with the territorial Government, to promote the economic and social development of the Territory, in order to reduce its heavy economic and financial dependence on the United States of America and to take measures to create more employment opportunities for the people of the Territory;

3. Urges the administering Power to support measures by the territorial Government aimed at promoting the diversification of the economy and the development of the existing industries, particularly commercial fishing and tourism;

4. Calls upon the administering Power to continue to provide the Territory with the necessary assistance, through a number of its agencies, to reconstruct many of the public facilities and thousands of family dwellings destroyed or heavily damaged by hurricane Val;

5. Invites Member States, non-governmental organizations, financial institutions and organizations of the United Nations system to grant or to continue to grant American Samoa emergency economic assistance to alleviate the devastation caused by hurricane Val and to enable the territorial Government to meet its reconstruction and rehabilitation requirements;

6. Notes with regret that a period of eleven years has elapsed since a United Nations mission visited the Territory and calls upon the administering Power to facilitate the dispatch of such a mission.

2. Anguilla

The Special Committee,

Referring to resolution A above,

Aware of the desire of the people of Anguilla for a higher level of self-government,

Taking note of the statement by the administering Power that it would help the people of Anguilla to become independent when and if that was their constitutionally expressed wish,

Noting the reaction of the political leaders to the abolishment of the death penalty by the administering Power and the statement of the Chief Minister on this question,

Taking note of the admission of the Territory as observer in the Organization of Eastern Caribbean States in 1991,

Noting that the unemployment rate in the Territory fell from 27 per cent in 1984 to 1.1 per cent in 1989, that salaries and allowances in the public sector have risen substantially since 1984, and that the number of posts has increased by 34 per cent since 1985,

Aware of the inability of Anguilla's educational system to alleviate the problem of scarcity of skilled national personnel, particularly in the fields of economic management and tourism, and that educational reform is of paramount importance to the achievement of the long-term economic goals of the Territory,

Further noting that the Government's Public Sector Investment Programme for 1991-1995, estimated at $35 million, is expected to be financed by external donors through grants and concessional loans,

Taking into account the main development objectives established by the Territory's Executive Council, namely, the improved management of the economy through a more efficient public sector, the strategic development of human resources through the reform of the educational and training systems, and the development of integrated policies of physical infrastructural improvements as well as the preservation of the natural environment,

Recognizing the contribution of the marine resources of Anguilla to its local economy,

Recalling the dispatch of a United Nations visiting mission to the Territory in 1984,

1. Takes note of the statement of the Chief Minister that the Government of Anguilla has no intention of moving towards independence during its current term of office;

2. Notes with concern that the administering Power continues to deny further delegation of competence over the special areas of responsibility of the Governor to ministers of the territorial Government prior to setting a time-frame for independence;

3. Calls upon the administering Power to consult with, and take into account the wishes of, the Government and the people of Anguilla prior to taking any decision likely to impact on their livelihood;

4. Welcomes the admission of the Territory as observer in the Organization of Eastern Caribbean States, and requests the administering Power to facilitate the Territory's participation in other regional and/or international organizations;

5. Commends the territorial Government for the virtual full employment situation prevailing in the Territory, and for the increases in the salaries and number of posts in the public sector over the past years;

6. Notes with concern the incapacity of Anguilla's educational system to supply the Territory's labour market with skilled managers, particularly in the areas of economic management and tourism;

7. Calls upon the administering Power as well as other Member States and international organizations to afford or continue to afford the Government of Anguilla training possibilities for its staff in this respect;

8. Invites the international donor community to contribute generously to the Government's Public Sector Investment Programme for 1991-1995, and to grant the Territory all possible assistance to enable it to reach the main development objectives established by the Executive Council of the Territory;

9. Welcomes the measures taken by the territorial Government to protect and conserve marine resources and to control the activities of foreign fishermen operating illegally in the area;

10. Calls upon the administering Power to provide the Territory with the necessary assistance to mitigate the adverse effects of hurricane Hugo and to facilitate the provision of additional assistance and funds from international organizations and specialized agencies to the Territory;

11. Notes that a period of eight years has elapsed since a United Nations mission visited the Territory and calls upon the administering Power to facilitate the dispatch of a further visiting mission to Anguilla.

3. Bermuda

The Special Committee,

Referring to resolution A above,

Noting with satisfaction the programme of Economic Stability and Responsible Management undertaken by the Government and the steps taken to offset a decline in revenue from tourism,

Noting a marked increase in unemployment in the Territory,

Noting with concern an increase in the illegal drug trade in the Territory,

Reaffirming its strong conviction that the presence of military bases and installations in the Territory could, in certain circumstances, constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Noting that a United Nations visiting mission has never been to the Territory,

1. Expresses the view that it is ultimately for the people of Bermuda to decide their own future;

2. Requests the administering Power to assist the territorial Government in the implementation of its programme of Economic Stability and Responsible Management, with a view to reducing the impact of the recession on the economy of the Territory and the unprecedented increase in unemployment;

3. Calls upon the administering Power to continue to take all necessary measures, in cooperation with the territorial Government, to counter problems related to drug trafficking;

4. Also calls upon the administering Power to ensure that the presence of military bases and installations in the Territory would not constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples nor hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

5. Further calls upon the administering Power to facilitate the dispatch of a United Nations visiting mission to the Territory.

4. British Virgin Islands

The Special Committee,

Referring to resolution A above,

Noting the participation of the Territory in its capacity as an associate member in some regional and international organizations,

Noting also the application of the Territory for membership in the Food and Agriculture Organization of the United Nations,

Taking into account that, according to the annual report of the Caribbean Development Bank for 1990, there has been sustained growth in the economy of the Territory, and noting the measures taken by the territorial Government to develop the agricultural and industrial sectors,

Noting that the Territory might graduate to net-contributor status in the fifth programming cycle of the United Nations Development Programme, thereby requiring the Territory to contribute to the financing of its projects,

Noting also that the Caribbean Development Bank has reported that the scarcity of skilled manpower was the single most important constraint to the realization of the full development potential of the economy of the Territory,

Noting further that the United Nations Children's Fund is considering the continuation beyond 1992 of its five-year Multi-island Programme, which has funded educational projects in the British Virgin Islands,

Recognizing the measures being taken by the territorial Government to prevent drug trafficking and money laundering,

1. Welcomes the admission of the British Virgin Islands as an associate member of the Caribbean Community;

2. Reiterates its call upon the administering Power to facilitate the admission of the Territory to associate membership in the Food and Agriculture Organization of the United Nations, as well as its participation in other regional and international organizations;

3. Calls upon the administering Power to provide the Territory with the necessary assistance to mitigate the adverse effects of hurricane Hugo and to facilitate the provision of additional assistance and funds to the Territory from international organizations and specialized agencies;

4. Welcomes the efforts by the territorial Government to raise the quality of the labour force and to meet the trained labour requirements of the public service through its development plan for education;

5. Calls upon the United Nations Development Programme to continue its technical assistance to the British Virgin Islands, bearing in mind the vulnerability of the Territory to external economic factors and its scarcity of skilled workers;

6. Expresses its satisfaction at the consideration being given by the United Nations Children's Fund to continuation of its five-year Multi-island Programme aimed at improving education, health and social services in the Territory;

7. Urges the regional and international financial institutions, as well as the specialized agencies and other organizations of the United Nations system, to assist the Government of the British Virgin Islands in identifying its medium- and long-term needs and to increase their participation in the full recovery of the Territory;

8. Notes with satisfaction the measures being taken by the territorial Government to prevent drug trafficking and money laundering, and urges the administering Power to continue its assistance to the Territory in those endeavours;

9. Notes with regret that a period of sixteen years has elapsed since a United Nations mission visited the Territory and appeals to the administering Power to facilitate the dispatch of such a mission.

5. Cayman Islands

The Special Committee,

Referring to resolution A above,

Taking note of the completion of the constitutional review exercise in the Cayman Islands, as well as of the established timetable for the bringing into force of the amended Constitution,

Aware that the general election in the Territory is scheduled for November 1992,

Noting the measures being taken by the territorial Government to promote agricultural production with a view to reducing the heavy dependence of the Territory on imported provisions,

Expressing its concern that property and land continue to be owned and developed largely by foreign investors,

Noting that an increased proportion of the labour force of the Territory consists of expatriates and that there is a need for the training of nationals in the technical, vocational, managerial and professional fields,

Noting also the action taken by the territorial Government to implement its programme to promote increased participation of the local population in the decision-making process in the Cayman Islands,

Noting further the policy of the territorial Government to control the growth and to upgrade the efficiency of the public service,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting with satisfaction the efforts of the territorial Government, the Governments of other countries of the region and the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to prevent and repress illicit activities such as money laundering, funds smuggling, false invoicing and other related frauds, as well as the use of and trafficking in illegal drugs,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

1. Requests the administering Power to expedite the bringing into force of the amended Constitution, in close cooperation with the territorial Government and in conformity with the wishes and aspirations of the Caymanian population, with a view to enabling the people of the Cayman Islands to exercise their inalienable right to self-determination;

2. Notes with satisfaction that the general election in the Territory is scheduled for November 1992 and requests the administering Power, in close cooperation with the territorial Government, to continue the efforts aimed at ensuring that a free and fair general election is conducted in the Cayman Islands;

3. Calls upon the administering Power, in consultation with the territorial Government, to continue to promote the agricultural development of the Cayman Islands with a view to reducing the dependence of the Territory on imported food supplies;

4. Urges the administering Power, in consultation with the territorial Government, to continue to facilitate the expansion of the current programme of securing employment for the local population, in particular at the decision-making level;

5. Requests the administering Power, in consultation with the territorial Government, to provide necessary assistance in enhancing the efficiency of the public service;

6. Calls upon the administering Power to continue to take all necessary measures, in cooperation with the territorial Government, to counter problems related to money laundering, funds smuggling and other related crimes, as well as drug trafficking;

7. Notes with regret that a period of fifteen years has elapsed since a United Nations mission visited the Territory, and appeals to the administering Power to facilitate the dispatch of such a mission.

6. Guam

The Special Committee,

Referring to resolution A above,

Noting that the second round of negotiations between the Government of the United States of America and the Government of Guam aimed at transferring land and facilities at the Naval Air Station, Agana, opened in July 1991,

Aware that large tracts of land in the Territory continue to be reserved for the use of the Department of Defense of the administering Power,

Noting that the administering Power has undertaken a programme of transferring surplus federal land to the Government of Guam,

Also noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Mindful of discussions between the Guam Commission on Self-Determination and the executive branch of the administering Power on the draft Guam Commonwealth Act, which were recently concluded and will lead to consideration of the measure by the legislative branch of the administering Power,

Recalling that in referendums held in Guam in 1987, a draft Commonwealth Act was endorsed by the people of Guam that, upon expeditious enactment by the Congress of the United States of America, would reaffirm the right of the people of Guam to draft their own constitution and to govern themselves,

Recalling the dispatch of a United Nations visiting mission to the Territory in 1979,

1. Calls upon the administering Power to ensure that the presence of military bases and installations in the Territory should not constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples nor hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

2. Also calls upon the administering Power, in cooperation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

3. Notes that discussions held since 1990 between the Government of the United States of America and the Guam Commission on Self-Determination have resulted in qualified agreements on the provisions of the Guam Commonwealth Act, including agreements to disagree on several substantive portions of the Guam proposal, which are to be forwarded to the Congress of the United States for consideration;

4. Urges the administering Power to support measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture;

5. Reiterates its request to the administering Power that the cultural and ethnic identity of the Chamorro people, the indigenous inhabitants of Guam, be recognized and respected;

6. Notes that a period of thirteen years has elapsed since a United Nations mission visited the Territory.

7. Montserrat

The Special Committee,

Referring to part A above,

Recalling the devastation caused by hurricane Hugo in September 1989 and the recovery efforts of the territorial Government, in conjunction with the administering Power and the international community,

Taking into account the membership of Montserrat in regional and international bodies and the outstanding request of the Territory for readmission to associate membership in the United Nations Educational, Scientific and Cultural Organization,

Noting the general elections held in Montserrat on 8 October 1991 and the election of a new Chief Minister,

Noting that it is the policy of the territorial Government, while considering that independence is inevitable, to pursue a gradual approach to preparing the people of Montserrat for independence,

Noting also that, according to the Eastern Caribbean Central Bank, the economy of the Territory had continued its recovery,

Taking note of the statement of the Chief Minister at the Fifteenth Annual Miami Conference on the Caribbean in December 1991 that the offshore financial services industry required little or no natural resources and could make a substantial contribution to small island countries,

Noting the policy of the territorial Government to replace expatriates with suitably trained and qualified nationals,

Noting also that planned developments in the Territory aimed at enhancing the island's attractiveness as a tourist destination may impact negatively on the environment, in the absence of effective natural resource management,

Recalling that the last United Nations visiting mission to the Territory took place in 1982,

1. Urges the administering Power to continue to intensify and expand its programme of aid in order to accelerate the development of the economic and social infrastructure of the Territory;

2. Reiterates its call upon the administering Power, in cooperation with the territorial Government, to take the necessary steps as a matter of urgency to facilitate the readmission of Montserrat as an associate member of the United Nations Educational, Scientific and Cultural Organization;

3. Urges the specialized agencies and other organizations of the United Nations system, as well as regional and other multilateral financial institutions, to continue to expand their assistance to the Territory in the strengthening, development and diversification of the economy of Montserrat in its medium- and long-term development plans, as well as in alleviating the devastation caused by hurricane Hugo;

4. Requests the administering Power to continue to facilitate the assistance of the specialized agencies and other organizations of the United Nations system, as well as regional and multilateral financial institutions, to the Government of Montserrat;

5. Calls upon the administering Power, in cooperation with the territorial Government, to assist the Territory in its efforts to implement an ecotourism strategy aimed at developing its natural resources in a manner consistent with environmental considerations;

6. Notes with satisfaction the measures being taken by the territorial Government, in cooperation with the administering Power, to restore the Territory's offshore financial services industry;

7. Urges the administering Power to continue its assistance to the Territory in the prevention of drug trafficking and money laundering;

8. Urges the administering Power, in cooperation with the territorial Government, to provide the necessary assistance for the training of local personnel in the skills essential to the development of the Territory and to encourage skilled workers to remain in the Territory;

9. Notes with regret that a period of ten years has elapsed since a United Nations mission visited the Territory and calls upon the administering Power to facilitate the dispatch of a visiting mission to Montserrat.

8. Tokelau

The Special Committee,

Referring to resolution A above,

Having heard the statement of the representative of New Zealand, the administering Power,

Noting the continuing devolution of power to the local authority, the General Fono (Council), and mindful that the cultural heritage and traditions of the people of Tokelau should be taken fully into account in the evolution of the political institutions of Tokelau,

Noting also the endeavours of Tokelau to develop its marine and other resources and its efforts to diversify the income-earning ability of its population,

Noting further the concern of the people of the Territory regarding the serious consequences of changes in climatic patterns on the future of Tokelau,

Welcoming the information that Tokelau, while wishing to preserve the benefits of its current relationship with New Zealand, is exploring ways of achieving greater political and administrative autonomy,

Noting with appreciation the assistance extended to Tokelau by the administering Power, other Member States and international organizations, in particular the United Nations Development Programme, and its preparation of a third country programme for Tokelau for the period 1992-1996,

1. Encourages the Government of New Zealand, the administering Power, to continue to respect fully the wishes of the people of Tokelau in carrying out the political and economic development of the Territory in such a way as to preserve their social, cultural and traditional heritage;

2. Calls upon the administering Power, in consultation with the General Fono (Council), to continue to expand its development assistance to Tokelau in order to promote the economic and social development of the Territory;

3. Notes that the plan to transfer the Office for Tokelau Affairs from Apia to Tokelau is being pursued within the context of the exploration of ways of achieving greater political and administrative autonomy, and invites the administering Power to continue to provide maximum assistance in this regard;

4. Invites all governmental and non-governmental organizations, financial institutions, Member States and organizations of the United Nations system to grant or to continue to grant Tokelau special emergency economic assistance to mitigate the effects of cyclonic storms and to enable the Territory to meet its medium- and long-term reconstruction and rehabilitation requirements and to address the issues of changes in climatic patterns.

9. Turks and Caicos Islands

The Special Committee,

Referring to resolution A above,

Noting the territorial Government's plan to reform the public service to enhance its efficiency,

Noting the administrative steps taken by the territorial Government to implement its policy of localization of employment,

Noting also the Government's expressed need for $11.5 million per year in development assistance to achieve its stated goal of economic independence by the year 1996,

Noting the Government's efforts to set up a Turks and Caicos development corporation,

Noting further that the agricultural sector is small and limited to subsistence farming for the local market, and that 90 per cent of the food consumed in the Territory is imported,

Concerned at the continued decline of fisheries and marine production in relative terms in the past year,

Taking note of the Chief Minister's attendance at the Twelfth Meeting of the Conference of Heads of Government of the Caribbean Community, held at Basseterre, Saint Kitts, in July 1991,

1. Calls upon the territorial Government to promote alternative employment opportunities for those civil servants whose employment will have been terminated as a result of the public service reform and the planned reduction of employees in the service;

2. Also calls upon the Government to ensure that the employment of expatriates in the Territory's labour force is not prejudicial to the recruitment of suitably qualified and available islanders;

3. Calls upon the specialized agencies and other institutions of the United Nations system to explore concrete ways of assisting the Turks and Caicos Government to reach its stated goal of achieving economic independence by 1996;

4. Urges the administering Power to study favourably, in cooperation with the territorial Government, the needs of the Territory in this respect with a view to meeting those needs;

5. Invites international financial institutions and donor organizations, including the European Investment Bank and the Commonwealth

Development Corporation, to provide the Territory with the necessary assistance for the setting up and/or operation of the Turks and Caicos Development Corporation;

6. Urges the administering Power and the relevant regional and international organizations to assist the territorial Government in increasing the efficiency of the agricultural and fisheries sectors;

7. Also urges the administering Power and the relevant regional and international organizations to support the efforts of the territorial Government to address the problem of environmental pollution and degradation;

8. Takes note of the admission of the Turks and Caicos Islands as an associate member of the Caribbean Community and invites other regional and international organizations to consider granting the Territory a similar status should the territorial Government so request;

9. Notes with regret that a period of twelve years has elapsed since a United Nations mission visited the Territory and appeals to the administering Power to facilitate the dispatch of such a mission.

10. United States Virgin Islands

The Special Committee,

Referring to resolution A above,

Having heard the statement of the representative of the Governor of the United States Virgin Islands,

Noting that legislation has been approved in the Virgin Islands Senate and signed into law by the Governor of the Territory to conduct a referendum on political status in 1993,

Noting also that the extension to ninety days of the residency requirement for voting has not addressed the concerns of the representatives of the territorial Government and those of the Commission on Status and Federal Relations regarding eligibility to participate in a referendum on self-determination,

Noting further that legislation has been proposed in the United States Congress to transfer Water Island to the Territory at the end of 1992, and that the issue remains under consideration,

Noting the position of the judicial authorities of the United States of America regarding the issue of the West Indian Company's title and rights to the reclamation and development of the submerged land at Long Bay in the Charlotte Amalie Harbor,

Noting the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States and observer status in the Caribbean Community, and its inability for financial reasons to participate in the Food and Agriculture Organization of the United Nations and the World Health Organization,

Noting the expressed concerns of the Government and people of the Territory over the continued vacancies of both District Court judgeships and their wish for the appointment of Virgin Islanders to these and other top posts in the judicial system,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory and the outstanding request by the territorial Government for a United Nations mission to the Territory to observe the referendum process,

1. Requests the administering Power to provide the fullest cooperation and assistance to the territorial Government and the Commission on Status and Federal Relations in their review of the residency requirement for those eligible to participate in a genuine exercise of the right to self-determination in the United States Virgin Islands;

2. Invites the administering Power, as a matter of urgency, to facilitate the transfer of Water Island to the Territory at the end of 1992;

3. Reiterates, as a matter of urgency, its requests to the administering Power to assist the Government of the United States Virgin Islands in securing the financial means to acquire the reclaimed and submerged land at Long Bay in the Charlotte Amalie Harbor from the West Indies Company in order to inhibit further development-related damage to marine and coastal wildlife;

4. Appeals to the administering Power, in consultation with the territorial Government, to appoint qualified Virgin Islanders to the vacant district court judgeships in the Territory at the earliest possible time;

5. Reiterates its request to the administering Power to facilitate as appropriate the participation of the Territory in the Organization of Eastern Caribbean States and the Caribbean Community, as well as in various international and regional organizations, including the Caribbean Group for Cooperation in Economic Development of the World Bank, in accordance with the terms of reference of such organizations, and to provide financial assistance as necessary;

6. Calls upon the administering Power to respond favourably to the request of the territorial Government for the dispatch of a United Nations visiting and observer mission to the Territory.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1130
29 July 1992

SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS

Resolution adopted by the Special Committee at its 1407th meeting, on 28 July 1992

The Special Committee,

Having examined the report of the Secretary-General on this item, 1/

Recalling General Assembly resolution 1970 (XVIII) of 16 December 1963, in which the Assembly requested the Special Committee to study the information transmitted to the Secretary-General in accordance with Article 73 e of the Charter of the United Nations and to take such information fully into account in examining the situation with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV) of 14 December 1960,

Recalling also General Assembly resolution 46/63 of 11 December 1991, in which the Assembly requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 e of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

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1/ A/AC.109/1121.

1. Reaffirms that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter of the United Nations, the administering Power concerned should continue to transmit information under Article 73 e of the Charter with respect to that Territory;

2. Requests the administering Powers concerned to transmit or continue to transmit to the Secretary-General the information prescribed in Article 73 e of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

3. Requests the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

4. Decides, subject to any decision which the General Assembly might take in that connection, to continue to discharge the functions entrusted to it under Assembly resolution 1970 (XVIII), in accordance with established procedures.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1131
29 July 1992

SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

QUESTION OF SENDING VISITING MISSIONS TO TERRITORIES

Resolution adopted by the Special Committee at its 1407th meeting, on 28 July 1992

The Special Committee,

Having considered the question of sending visiting missions to Territories,

Having examined the report of the Chairman on the question, 1/

Recalling the relevant resolutions and decisions of the General Assembly and the Special Committee requesting the administering Powers to cooperate fully with the United Nations by receiving visiting missions in the Territories under their administration,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in those Territories and of ascertaining the wishes and aspirations of the peoples thereof regarding their future status,

Conscious that United Nations visiting missions enhance the capacity of the United Nations to assist the peoples of colonial Territories in attaining the objectives set forth in the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, and in other relevant resolutions of the Assembly,

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1/ A/AC.109/L.1783.

Noting with regret that some administering Powers do not participate in the work of the Special Committee,

1. Stresses the need to dispatch periodic visiting missions to colonial Territories in order to facilitate the full, speedy and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with respect to those Territories;

2. Calls upon the administering Powers to cooperate or continue to cooperate with the United Nations by receiving United Nations visiting missions in the Territories under their administration;

3. Continues to call upon those administering Powers that are not participating in the work of the Special Committee to reconsider their decisions and to take an active part in the work of the Committee;

4. Requests its Chairman to continue consultations with the administering Powers concerned on the implementation of paragraph 2 of the present resolution and to report thereon to the Special Committee as appropriate.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1132
31 July 1992

SPECIAL COMMITTEE ON THE SITUATION WITH
REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES

QUESTION OF THE FALKLAND ISLANDS (MALVINAS)

Resolution adopted by the Special Committee
at its 1408th meeting, on 29 July 1992

The Special Committee,

Having considered the question of the Falkland Islands (Malvinas),

Aware that the maintenance of colonial situations is incompatible with the United Nations ideal of universal peace,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960, 2065 (XX) of 16 December 1965, 3160 (XXVIII) of 14 December 1973, 31/49 of 1 December 1976, 37/9 of 4 November 1982, 38/12 of 16 November 1983, 39/6 of 1 November 1984, 40/21 of 27 November 1985, 41/40 of 25 November 1986, 42/19 of 17 November 1987 and 43/25 of 17 November 1988 and its resolutions A/AC.109/756 of 1 September 1983, A/AC.109/793 of 21 August 1984, A/AC.109/842 of 9 August 1985, A/AC.109/885 of 14 August 1986, A/AC.109/930 of 14 August 1987, A/AC.109/972 of 11 August 1988, A/AC.109/1008 of 15 August 1989, A/AC.109/1050 of 14 August 1990 and A/AC.109/1087 of 14 August 1991 and Security Council resolutions 502 (1982) of 3 April 1982 and 505 (1982) of 26 May 1982,

Distressed that, notwithstanding the time that has elapsed since the adoption of General Assembly resolution 2065 (XX), this prolonged dispute has not yet been settled,

Aware of the interest of the international community in the resumption by the Governments of Argentina and the United Kingdom of Great Britain and

Northern Ireland of their negotiations in order to find as soon as possible a peaceful, just and lasting solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas),

Expressing its preoccupation over the fact that the good level of relations between Argentina and the United Kingdom has not yet led to negotiations on the question of the Falkland Islands (Malvinas),

Considering that this situation should facilitate the resumption of the negotiations in order to find a peaceful solution to the dispute over sovereignty,

Reaffirming the principles of the Charter of the United Nations on the non-use of force or the threat of force in international relations and the peaceful settlement of international disputes,

Calling attention to the importance of the Secretary-General continuing his efforts to give full effect to the mission entrusted to him by the General Assembly in its resolutions on the question of the Falkland Islands (Malvinas),

Reaffirming the need for the parties to take due account of the interests of the population of the islands in accordance with the provisions of the General Assembly resolutions on the question of the Falkland Islands (Malvinas),

1. Reiterates that the way to put an end to the special and particular colonial situation in the question of the Falkland Islands (Malvinas) is the peaceful and negotiated settlement of the dispute over sovereignty between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland;

2. Takes note of the views expressed by the Minister for Foreign Affairs of Argentina on the occasion of the forty-sixth session of the General Assembly; 1/

3. Regrets that, in spite of the widespread international support for a negotiation between the Governments of Argentina and the United Kingdom that includes all aspects on the future of the Falkland Islands (Malvinas), the implementation of the General Assembly resolutions on this question has not yet started;

4. Requests the Governments of Argentina and the United Kingdom to consolidate the current process of dialogue and cooperation through the resumption of negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas), in accordance with the provisions of General Assembly

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1/ See A/46/PV.5.

resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25;

5. Reiterates its firm support for the mission of good offices of the Secretary-General in order to assist the parties in complying with the request made by the General Assembly in its resolutions on the question of the Falkland Islands (Malvinas);

6. Decides to keep under review the question of the Falkland Islands (Malvinas) subject to the directives that the General Assembly has issued and may issue in that regard.

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/AC.109/1133
31 July 1992

SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

QUESTION OF NEW CALEDONIA

Resolution adopted by the Special Committee
at its 1049th meeting, on 30 July 1992

The Special Committee,

Having considered the question of New Caledonia,

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including in the areas of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of New Caledonia's act of self-determination,

1. Urges all the parties involved, in the interest of all the people of New Caledonia, to maintain their dialogue in a spirit of harmony;

2. Invites all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians;

3. Welcomes recent and foreshadowed measures to strengthen and diversify the New Caledonian economy in all fields;

4. Also welcomes the call by the Committee to Monitor the Matignon Agreement, at its meeting in Paris in October 1991, for greater progress in housing, employment, training, education and health care in New Caledonia;

5. Commends the decision to establish a Melanesian cultural centre as a contribution to preserving the indigenous culture of New Caledonia;

6. Takes note of the recent positive initiatives aimed at protecting New Caledonia's natural environment, notably the "Zoneco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

7. Acknowledges the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French authorities to facilitate the further development of those links, including the development of closer relations with the member countries of the South Pacific Forum;

8. Decides, subject to any directives which the General Assembly may give at its forty-seventh session, to continue to consider the item at its next session.

UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/AC.109/1134
7 August 1992

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS

Resolution adopted by the Special Committee at its 1411th meeting, on 7 August 1992

The Special Committee,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having considered the reports submitted on the item by the Secretary-General 1/ and the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 2/

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and resolution 1541 (XV) of 15 December 1960, as well as all other resolutions adopted by the Assembly on this subject, including,

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1/ A/47/281.

2/ A/AC.109/L.1785.

in particular, resolution 46/181 of 19 December 1991, endorsing the Plan of Action for the International Decade for the Eradication of Colonialism, 3/

Recalling also General Assembly resolution S-16/1 of 14 December 1989, the annex to which contains the Declaration on Apartheid and its Destructive Consequences in Southern Africa,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity,

Deeply concerned that the objectives of the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples have not been fully achieved,

Recognizing that permanent peace and stability in southern Africa can only be achieved when the system of apartheid in South Africa has been eradicated and South Africa has been transformed into a united, democratic and non-racial country, and reiterating therefore that all the necessary measures should be adopted at the present time to bring a speedy end to the apartheid system in the interest of all the people of southern Africa, the African continent and the world at large,

Noting that the large majority of the remaining colonial Territories are small island Territories,

Recalling General Assembly resolution 43/189 of 20 December 1988, concerning specific measures in favour of island developing countries,

Bearing in mind the conclusions and recommendations of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, held in New York from 25 to 29 June 1990, 4/

Recalling relevant resolutions of the Caribbean Development and Cooperation Committee concerning the access of colonial Territories to programmes of the United Nations system,

Noting the assistance extended thus far to colonial Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, and considering that such assistance should be expanded further, commensurate with the pressing needs of the peoples concerned for external assistance,

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3/ See A/46/634/Rev.1.

4/ A/CONF.147/5-TD/B/AC.46/4, chap. II.

Stressing the importance of securing necessary resources for funding expanded assistance programmes for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

Noting with serious concern the continuing effects of the acts of aggression and destabilization that have been committed by South Africa against neighbouring independent African States,

Reaffirming the responsibility of the specialized agencies and other organizations of the United Nations system to take all the necessary measures, within their respective spheres of competence, to ensure the full implementation, without further delay, of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, particularly those relating to the extension of assistance to the peoples of the colonial Territories,

Expressing its appreciation to the Organization of African Unity, the South Pacific Forum and the Caribbean Community, as well as other regional organizations, for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Concerned by the fact that all Member States have not adhered to the measures provided in the Programme of Action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, and have thus continued or re-established relations in a number of fields with South Africa,

Bearing in mind the importance of the activities of non-governmental organizations aimed at putting an end to the assistance that is still being rendered to South Africa by some specialized agencies,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of assistance programmes to the peoples concerned,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Territories and their vulnerability to natural disasters, such as hurricanes and cyclones, and recalling relevant resolutions of the General Assembly,

Recalling General Assembly resolution 46/70 of 11 December 1991 on cooperation and coordination of specialized agencies and the international institutions associated with the United Nations in their assistance to Non-Self-Governing Territories,

1. Takes note of the report of its Chairman on his consultations with the President of the Economic and Social Council 2/ and endorses the observations and suggestions arising therefrom; 5/

2. Recommends that all States intensify their efforts in the specialized agencies and other organizations of the United Nations system to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and other relevant resolutions of the United Nations;

3. Reaffirms that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the full implementation, without further delay, of the Declaration on the Granting of Independence to Colonial Countries and Peoples and all other relevant General Assembly resolutions;

4. Reaffirms also that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspiration of colonial peoples to exercise their right to self-determination and independence entails, as a corollary, the extension of all necessary moral and material assistance to those peoples and their national liberation movements by the specialized agencies and other organizations of the United Nations system;

5. Expresses its appreciation to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, and urges all the specialized agencies and other organizations of the United Nations system to accelerate the full and speedy implementation of the relevant provisions of those resolutions;

6. Requests the specialized agencies and other organizations of the United Nations system, as well as international and regional organizations, to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

7. Requests all specialized agencies and other organizations of the United Nations system to strengthen measures of support and formulate adequate programmes of assistance to the peoples of colonial Territories, bearing in mind that such assistance should not only meet their immediate needs but also create conditions for development after they have exercised their right to self-determination and independence;

5/ E/1992/85.

8. Also requests the specialized agencies and other organizations of the United Nations system to provide, through an inter-agency framework, the necessary assistance to small island Territories in order to alleviate the adverse conditions arising from the interplay of factors relating mainly to their size and geographical location;

9. Further requests the specialized agencies and other organizations of the United Nations system, in formulating their assistance programmes, to take due account of the conclusions and recommendations, entitled "Challenges and opportunities: a strategic framework", of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, held in New York in June 1990; 4/

10. Requests once again the specialized agencies and other organizations of the United Nations system to continue to provide all humanitarian, material and moral assistance to Namibia and all newly independent and emerging States so as to enable them to consolidate their political independence and achieve genuine economic independence;

11. Urges the executive heads of the specialized agencies and other organizations of the United Nations system, in cooperation with the regional and other organizations where appropriate, to submit to their governing and legislative organs concrete proposals for the full implementation of the relevant United Nations decisions, particularly specific programmes of assistance to the peoples of the colonial Territories and their national liberation movements;

12. Recommends to the executive heads of the World Bank and the International Monetary Fund to draw the attention of their governing bodies to the present resolution and to consider introducing flexible procedures to prepare specific programmes for the peoples of the Non-Self-Governing Territories;

13. Urges the specialized agencies and other organizations of the United Nations system that have not already done so to include in the agenda of the regular meetings of their governing bodies a separate item on the progress they have made in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

14. Welcomes the continued initiative exercised by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system and in coordinating the activities of the agencies in extending effective assistance to the peoples of Non-Self-Governing Territories, and calls upon the specialized agencies and other organizations of the United Nations system, as a matter of urgency, to contribute generously to the relief, rehabilitation and reconstruction efforts in those Non-Self-Governing Territories affected by natural disasters;

15. Urges the administering Powers concerned to facilitate the participation of the representatives of the Governments of Trust and Non-Self-Governing Territories in the relevant meetings and conferences of the agencies and organizations so that the Territories may draw the maximum benefits from the related activities of the specialized agencies and other organizations of the United Nations system;

16. Urges the specialized agencies and other organizations of the United Nations system to adhere to the Programme of Action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, in particular with regard to increased support for the opponents of apartheid, the use of concerted and effective measures aimed at applying pressure to ensure a speedy end to apartheid and ensuring the non-relaxation of existing measures to encourage the South African regime to eradicate apartheid until there is clear evidence of profound and irreversible changes;

17. Stresses, in the context of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, the need for the specialized agencies and other organizations of the United Nations system to render all possible assistance to the front-line and neighbouring States to enable them to rebuild their economies, which have been adversely affected by acts of aggression and destabilization by South Africa, to withstand any further such acts and to continue to support the people of South Africa;

18. Invites the specialized agencies and other organizations of the United Nations system to cooperate with the Action for Resisting Invasion, Colonialism and Apartheid Fund established by the Eighth Conference of Heads of State or Government of Non-Aligned Countries, held at Harare from 1 to 6 September 1986, with the common objective of providing emergency assistance to the front-line States and national liberation movements struggling against the apartheid regime, and with other measures taken by the Movement of Non-Aligned Countries and the Organization of African Unity;

19. Urges all States, especially those that have economic, financial or other links to South Africa, to adhere fully to the Programme of Action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa until the establishment of a united, democratic and non-racial South Africa;

20. Recommends that all Governments should intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to ensure the full and effective implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations and, in that connection, should accord priority to the question of providing assistance on an emergency basis to the peoples of the Non-Self-Governing Territories;

21. Requests the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United

Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

22. Commends the Economic and Social Council for its debate and resolution on this issue and requests it to continue, as appropriate, to consider, in consultation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, appropriate measures for coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

23. Requests the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

24. Requests the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies take the necessary measures to implement the resolution, and also requests the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution;

25. Decides, subject to any directives the General Assembly might wish to give at its forty-seventh session, to continue to examine the question and to report thereon to the Assembly at its forty-eighth session.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1135
10 August 1992

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

ACTIVITIES OF THOSE FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA

Resolution adopted by the Special Committee at its 1411th meeting, on 7 August 1992

The Special Committee,

Having considered the item entitled "Activities of those foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa",

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as all its other resolutions on this subject, including, in particular, resolution 46/181 of 19 December 1991, endorsing the Plan of Action for the International Decade for the Eradication of Colonialism, 1/

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and

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1/ See A/46/634/Rev.1.

educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that those economic and other activities which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstruct efforts aimed at the elimination of colonialism, apartheid and racial discrimination in South Africa and in colonial Territories are in direct violation of the rights of the inhabitants and of the principles of the Charter and all relevant resolutions of the United Nations,

Seriously concerned about the activities of those foreign economic, financial and other interests which continue to exploit the natural resources that are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories in the Caribbean, the Pacific and other regions, as well as their human resources, to the detriment of their interests, thus depriving them of their right to control the resources of their Territories and impeding the realization by those peoples of their legitimate aspirations for self-determination and independence,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity,

Gravely concerned that certain countries, transnational corporations and international financial institutions have continued their economic relations with South Africa,

Recognizing the crucial and decisive role that the imposition of international sanctions has played in applying the necessary pressure on the South African regime to undertake significant measures towards the eradication of apartheid,

1. Reaffirms the inalienable right of the peoples of colonial and Non-Self-Governing Territories to self-determination and independence and to the enjoyment of the natural resources of their Territories, as well as their right to dispose of those resources in their best interests;

2. Reiterates that any administering or occupying Power that deprives the colonial peoples of the exercise of their legitimate rights over their natural resources or subordinates the rights and interests of those peoples to foreign economic and financial interests violates the solemn obligations it has assumed under the Charter of the United Nations;

3. Reaffirms its concern over the activities of those foreign economic, financial and other interests which continue to exploit the natural resources that are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories in the Caribbean, the Pacific and other

regions, as well as their human resources, to the detriment of their interests, thus depriving them of their right to control the resources of their Territories and impeding the realization by those peoples of their legitimate aspirations for self-determination and independence;

4. Condemns those activities of foreign economic and other interests in the colonial Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and the efforts to eliminate colonialism, apartheid and racial discrimination;

5. Strongly condemns the collaboration with the South African regime by certain countries as well as transnational corporations that continue to make new investments in South Africa and supply the racist regime with armaments, nuclear technology and all other materials that are likely to buttress it and thus aggravate the threat to peace in the region;

6. Calls upon all States to maintain the existing measures against the apartheid regime as specified in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, annexed to General Assembly resolution S-16/1 of 14 December 1989;

7. Calls once again upon all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories;

8. Calls upon those oil-producing and oil-exporting countries that have not yet done so to take effective measures against the oil companies concerned so as to terminate the supply of crude oil and petroleum products to the racist regime of South Africa;

9. Reiterates that the exploitation and plundering of the marine and other natural resources of colonial and Non-Self-Governing Territories by foreign economic interests, in violation of the relevant resolutions of the United Nations, is a grave threat to the integrity and prosperity of those Territories;

10. Invites all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of colonial and Non-Self-Governing Territories over their natural resources is fully respected and safeguarded;

11. Urges the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the colonial and Non-Self-Governing Territories to their natural resources and to

establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

12. Calls upon the administering Powers concerned to ensure that no discriminatory and unjust wage systems or working conditions prevail in the Territories under their administration and to apply in each Territory a uniform system of wages to all the inhabitants without any discrimination;

13. Requests the Secretary-General to continue, through all means at his disposal, to inform world public opinion of those activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

14. Appeals to mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and in the struggle against apartheid and the mobilization of international public opinion against the policy pursued by the South African apartheid regime and to oppose the relaxation of existing measures against the regime, in order to accelerate the process of constitutional change with the aim of establishing a united, democratic and non-racial South Africa;

15. Decides to continue to monitor closely the situation in the colonial and Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of the indigenous peoples and at promoting the economic and financial viability of those Territories, in order to facilitate and accelerate the exercise by the peoples of those Territories of their right to self-determination and independence;

16. Decides to keep the item under continuous review.

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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

MILITARY ACTIVITIES AND ARRANGEMENTS BY COLONIAL POWERS IN TERRITORIES UNDER THEIR ADMINISTRATION WHICH MIGHT BE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Decision adopted by the Special Committee at its 1411th meeting, on 7 August 1992

1. The Special Committee, having considered the item entitled "Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" and recalling General Assembly resolution 1514 (XV) of 14 December 1960 and all other relevant resolutions and decisions of the United Nations relating to military activities in colonial and Non-Self-Governing Territories, reaffirms its strong conviction that military bases and installations in the Territories concerned could constitute an obstacle to the exercise by the people of those Territories of their right to self-determination and reiterates its strong views that existing bases and installations, which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, should be withdrawn and that no further entrenchment should be condoned.

2. Aware of the presence of such bases and installations in some of those Territories, the Special Committee urges the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States, and to comply fully with the purposes and principles of the Charter of the United Nations.

3. The Special Committee reiterates its condemnation of all those military activities and arrangements by colonial Powers in Territories under their administration that might run counter to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence. The Committee once again calls upon the colonial Powers concerned to terminate such activities and to eliminate such military bases in compliance with the relevant resolutions of the General Assembly.

4. The Special Committee reiterates that the colonial Territories and areas adjacent thereto should not be used for nuclear testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

5. The Special Committee welcomes the important changes taking place in South Africa aimed at facilitating the commencement of substantive constitutional negotiations. The Committee notes that, these developments notwithstanding, apartheid remains firmly entrenched and that as a result there is a continuing threat to the peace and security of the region.

6. The Special Committee notes with grave concern revelations of covert funding and collusion by the South African regime with certain political organizations and reports of the involvement of its security forces in perpetrating acts of violence.

7. The Special Committee condemns the continued military, nuclear and intelligence collaboration between South Africa and certain countries, which constitutes a violation of the military embargo imposed against South Africa by the Security Council in its resolution 418 (1977) of 4 November 1977, and which poses a threat to international peace and security. The Committee urges the Security Council to consider, as a matter of urgency, the report of the Security Council Committee established by resolution 421 (1977) of 9 December 1977 1/ and to adopt further measures to widen the scope of Council resolution 418 (1977) in order to make it more effective and comprehensive. The Committee calls for an immediate end to all forms of such collaboration. The Committee further calls for scrupulous observance of resolution 558 (1984) of 13 December 1984, in which the Security Council enjoined Member States to refrain from importing armaments from South Africa.

8. The Special Committee considers that the acquisition of nuclear-weapon capability by the South African regime, with its infamous record of violence and aggression, constitutes a further effort on its part to terrorize and intimidate independent States in the region into submission. The Committee condemns the continuing support to the South African regime in the military and other fields. In this context, the Committee expresses its concern at the grave consequences for international peace and security of the

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1/ Official Records of the Security Council, Thirty-fifth Year, Supplement for July, August and September 1980, document S/14179.

collaboration between the apartheid system in South Africa and certain Western Powers and other countries in the military and nuclear fields. It calls upon the States concerned to end all such collaboration and, in particular, to halt the supply to the apartheid system of equipment, technology, materials and training enabling the regime to increase its capability to manufacture nuclear weapons.

9. The Special Committee strongly condemns the continuing collaboration of certain countries with the racist regime in the military and nuclear fields and expresses its conviction that such collaboration is in contravention of the arms embargo imposed against South Africa under Security Council resolution 418 (1977) and undermines international solidarity against the apartheid regime. The Committee thus calls for the termination forthwith of all such collaboration.

10. The Special Committee is particularly mindful in that regard of the Abuja Declaration on South Africa adopted on 5 June 1991 by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-seventh session, 2/ the report of the Tenth Conference of Ministers for Foreign Affairs of Non-Aligned Countries, adopted at Accra on 7 September 1991, and the Harare Commonwealth Declaration adopted by the Heads of Government of the countries of the Commonwealth at the conclusion of their meeting held at Harare from 16 to 22 October 1991. 3/

11. The Special Committee urges all Governments, the specialized agencies and other intergovernmental organizations to provide increased material assistance to the thousands of refugees who have been forced by the oppressive policies of the apartheid regime in South Africa to flee into the neighbouring States and for the purpose of resettlement of those who are returning.

12. The Special Committee deplores the continued alienation of land in colonial Territories, particularly in the small island Territories of the Pacific and Caribbean regions, for military installations. The large-scale utilization of the local resources for this purpose could adversely affect the economic development of the Territories concerned.

13. The Special Committee requests the Secretary-General to continue, through all means at his disposal, to inform world public opinion of the facts concerning the military activities and arrangements in colonial Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV).

2/ See A/46/390, annex II.

3/ A/46/708, annex.

14. The Special Committee decides, subject to any directives that the General Assembly may give in this connection at its forty-seventh session, to continue to consider the item at its next session.